

UNITED STATES DISTRICT COURT

for the
Eastern District
Western Division

FILED

DEC 03 2024

PETER A. MOORE, JR., CLERK
US DISTRICT COURT, EDNC
BY LMA DEP CLK

Marguitta Hagins
Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Crystal Sherron, Michelle Ball
Aaron Gavin,
State of North Carolina
Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No.

5:24-CV-00688-BO
(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☒ Yes ☐ No

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>Marguitta Hagins</u>
Street Address	<u>222 Trailing Oak Trl</u>
City and County	<u>Clayton, Johnston</u>
State and Zip Code	<u>North Carolina 27527</u>
Telephone Number	<u>(919) 928-2059</u>
E-mail Address	<u>Haginsmarguitta@gmail.com</u>

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name
Job or Title (if known)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address (if known)

Crystal Sherron
Assistant Clerk
207 E Johnston St
Smithfield, Johnston
NC 27577
(919) 209-5400

Defendant No. 2

Name
Job or Title (if known)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address (if known)

Michelle Ball
Clerk of Superior Court
207 E Johnston St
Smithfield, Johnston
NC 27577
(919) 209-5400

Defendant No. 3

Name
Job or Title (if known)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address (if known)

Aaron Gravin
attorney
10130 Perimeter Park
North Carolina 28216
(704) 333-8107

Defendant No. 4

Name
Job or Title (if known)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address (if known)

State of North Carolina
North Carolina Association of Registers and Deeds
2 South Salisbury St
Raleigh, Wake
North Carolina 27601
(919) 814-5455

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case. 28 U.S.C § 1331, 42 U.S.C § 1983, 18 U.S.C § 1962 (RICO)
The Truth Lending Act, Breach and termination of
Treaties, Fourteenth Amendment

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, (name) Marquita Hagins, is a citizen of the
State of (name) Resident.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated
under the laws of the State of (name) _____,
and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) _____, is a citizen of
the State of (name) _____. Or is a citizen of
(foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____
Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy 5.5 million

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

Fraudulent concealment, wrongful foreclosure, breach of contract and other related claims

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Plaintiff Maryjane Hagins brings this action against the State of North Carolina, Assistant Clerk Crystal Sherron, Clerk Michelle Ball and Attorney Raven Gavin. All parties conspired together, so they're all liable for all the counts collectively for the property at 222 Trilling Oak Trl, Clayton, NC leading to wrongful foreclosure. The defendants actions caused financial harm to Plaintiff. The Plaintiff seeks 5.5 million in damages for these actions

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages. Vacate the Foreclosure process scheduled for Nov. 26th. Determine the Defendants actions were unfair and

deceptive business practice. Award compensatory and Punitive damage totaling 5.5 million, Including costs legal expenses, and grant a clear title and deed. Discharge the alleged debt, or what the Court finds Just and Fair. The unlawful traditional day-to-day municipal court process and the lack of constitutional training to the issue at hand

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 11/29/2024

Signature of Plaintiff Margita Hays
Printed Name of Plaintiff Margita Hays

B. For Attorneys

Date of signing: _____

Signature of Attorney _____
Printed Name of Attorney _____
Bar Number _____
Name of Law Firm _____
Street Address _____
State and Zip Code _____
Telephone Number _____
E-mail Address _____